

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Matt Bennett, Project Manager

Public Notice Date: March 6, 2006 Expiration Date: April 6, 2006 Reference: 200501258

Name: City of Enumclaw

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: City of Enumclaw, Department of Public Works

1309 Myrtle Avenue

Enumclaw, Washington 98022

ATTN: Mr. Carl C. Searcy, Public Works Director

Telephone: (360) 825-3593

AGENT:

Watershed Dynamics Post Office Box 215

Enumclaw, Washington 98022

ATTN: Larry Burnstad

Telephone: (360) 825-9253

LOCATION: In wetlands adjacent to Boise Creek at 451 Semanski Street, Enumcalw, Washington 98022

<u>WORK</u>: Fill and grade up to 6.3 acres of Palustrine Emergent wetland to facilitate expansion of the City of Enumclaw Waste Water Treatment Plant. The expansion and modification of the existing facility would require 3.1-acres of wetland impact. Up to 3.2-acres of additional wetland impact is needed for staging area for near-site stockpiling and storage of equipment and supplies. Approximately 20,000 cubic yards of material will be cut from the proposed building footprint and placed in the proposed staging area (See drawing sheet 2).

<u>PURPOSE</u>: To provide sewage treatment for Growth Management Act projected population growth within the City of Enumclaw Urban growth boundary along with the ability to meet State of Washington Department of Ecology ambient water quality standards for return water.

ADDITIONAL INFORMATION: The proposed expansion site is on an 11.7-acre parcel comprised of undeveloped land and an apartment complex. The apartment complex is excluded from the project area. The proposed mitigation site is located at an off-site location immediately east and adjacent to S.R. 410 approximately 375-feet northeast of the impact area. Portions of the proposed activities occur in wetlands below the headwaters of Boise Creek, a White River tributary. No changes or modifications are proposed to the existing outfall pipe located 1.35-mile south of this site at the White River.

MITIGATION: A Conceptual Mitigation Plan has been developed to offset wetland resource impacts resulting from the WWTP upgrade project. The proposed mitigation site is located adjacent to S.R. 410 between Warner Avenue and Roosevelt Avenue East. Wetland mitigation will involve a combination of wetland creation and enhancement. (See public notice drawing sheets 1,5,6,7). Specific ratios of wetland creation and enhancement will be determined pending wetland boundary delineation of the proposed mitigation site. A copy of the October 27, 2005 *Proposed Wetland Impact Mitigation Plan* is available for review upon request.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. Chinook salmon (*Oncorhynchus tshawytscha*), bull trout (*Salvelinus confluentus*), and bald eagles (*Haliaeetus leucocephalus*) listed as Threatened in the state of Washington, occur in the proposed project area. Critical Habitat has also been designated for bull trout and chinook salmon in Boise Creek and the White River.

After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to bull trout, Chinook salmon, and designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). No EFH is located in the project area. EFH for pacific salmon occurs approximately 500 feet east of the site in Boise Creek.

If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

<u>CULTURAL RESOURCES</u>: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. No known historic properties occur in the vicinity of the proposed project. However, because of it's position in the landscape (i.e. adjacent to a river), there is a likelihood that unknown historic properties occur in the project area. An historic properties investigation has been required.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

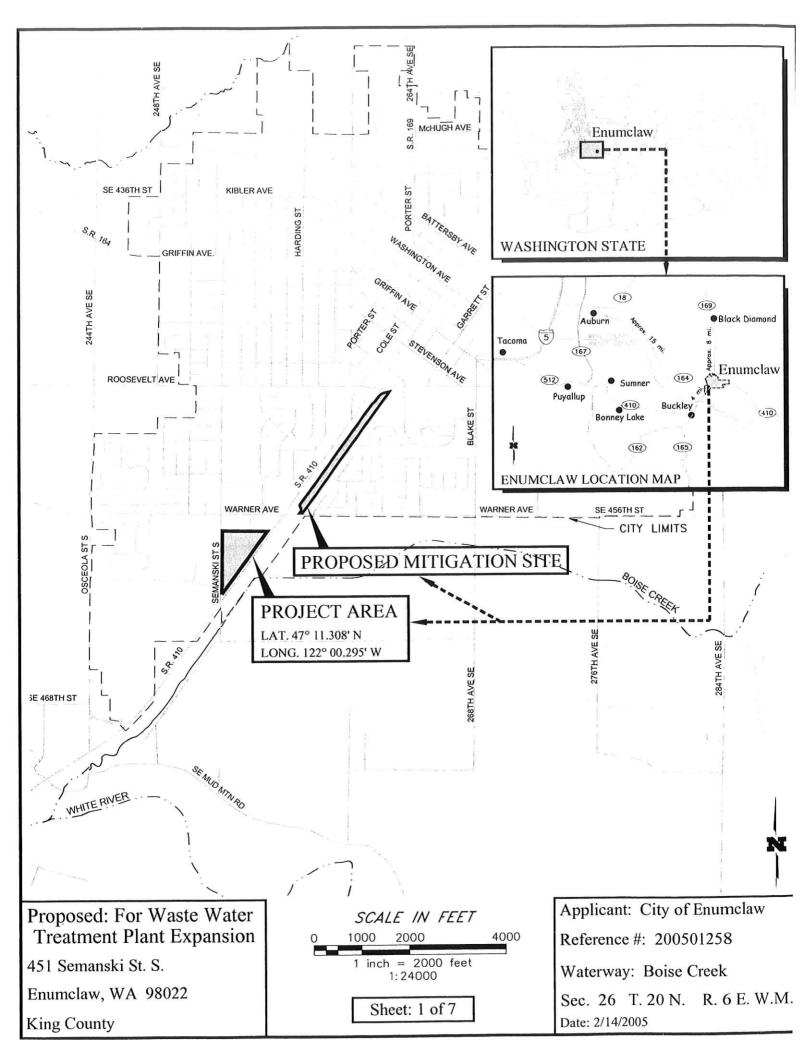
<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work (for consistency with the approved Washington Coastal Zone Management Program) (and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act).

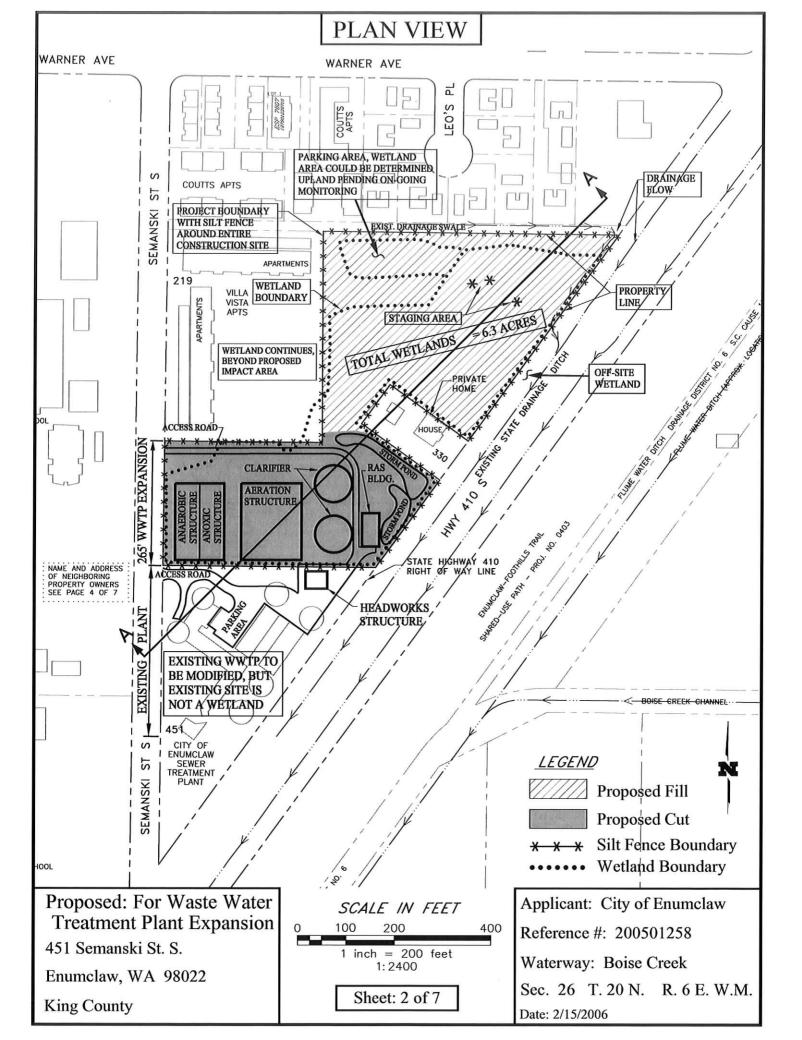
The proposed project was issued a Mitigated Determination of Non-Significance on September 26, 2005 under the State Environmental Policy Act (SEPA). A Certification of Consistency with the Washington State Coastal Zone Management Program for Federally Licensed or Permitted Activities was issued by the City of Enumclaw on November 28, 2005.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to matthew.j.bennett@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

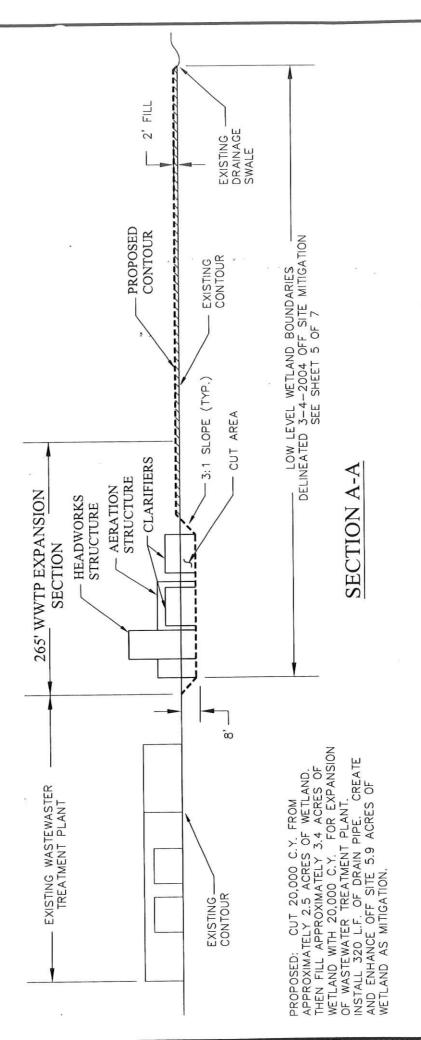
City of Enumclaw Department of Public Works, 200501258

Encl Drawings (7)





PROFILE VIEW



Applicant: City of Enumclaw

Reference #: 200501258

Waterway: Boise Creek

1 inch = 100 feet 1 inch = 50 feet

Horizontal Scale:

20

Proposed: For Waste Water Treatment Plant Expansion

Enumclaw, WA 98022

King County

451 Semanski St. S.

Vertical Scale:

Sheet: 3 of 7

SCALE IN FEET

Sec. 26 T. 20 N. R. 6 E.

Date: 12/28/2005

Adjacent Property Owners Contact Information

| | | Aujacem 1 | Aujacon I openty Owners Commer minorination | | |
|------------|---|-----------------------|---|---|------------------------------------|
| PARCEL# | OWNER'S NAME | SITE ADDRESS | CITY/STATE/ZIP | OWNER'S ADDRESS | CITY/STATE/ZIP |
| 2620069088 | City of Enumclaw, Public Works | 288 Semanski Street | Enumclaw, WA 98022 | 1309 Myrtle Avenue | Enumclaw, WA 98022 360.825.3593 |
| 2620069016 | Enumclaw School District No. 216 | 226 Semanski Street | Enumclaw, WA 98022 | 2929 McDougal Avenue | Enumclaw, WA 98022 360.825.1614 |
| 2620069158 | Ruth M. Coutts | 105 Semanski Street | Enumclaw, WA 98022 | 38119-292nd Street SE | Enumclaw, WA 98022 360.825.3627 |
| 2620069145 | Robert R. Coutts | 2716 Warner Avenue W. | Enumclaw, WA 98022 | 38119-292nd Street SE | Enumclaw, WA 98022 360.825.3627 |
| 7596900030 | Willpro LLC | 140 Leo Place | Enumclaw, WA 98022 | 47202-235th Avenue SE, Atten: Mark Williams | Enumclaw, WA 98022 360.825.4444 |
| 7596900040 | Willpro LLC | 146 Leo Place | Enumclaw, WA 98022 | 47202-235th Avenue SE, Atten: Mark Williams | Enumclaw, WA 98022 360.825.4444 |
| 759690050 | Willpro LLC | 147 Leo Place | Enumclaw, WA 98022 | 47202-235th Avenue SE, Atten: Mark Williams | Enumclaw, WA 98022 360.825.4444 |
| 7596900060 | Willpro LLC | 141 Leo Place | Enumclaw, WA 98022 | 47202-235th Avenue SE, Atten: Mark Williams | Enumclaw, WA 98022 360.825.4444 |
| 2620069164 | Willpro LLC | 2534 Warner Avenue W | Enumclaw, WA 98022: | 47202-235th Avenue SE, Atten: Mark Williams | Enumclaw, WA 98022 360.825.4444 |
| 2620069163 | Charlotte Dolezal | 2532 Warner Avenue W | Enumclaw, WA 98022 | 1424 Maple Drive | Enumclaw, WA 98022 360.825.7581 |
| SR410 ROW | Washington State Department of Transportation | ansportation | Enumclaw, WA 98022 | 15700 Dayton N., Atten: Real Estate Services | Seattle, WA 98103 206.440.4160 |
| 2620069097 | Cecil & Lori Walker | 330 Hwy 410 | Enumclaw, WA 98022 | SAME | Enumclaw, WA 98022 360.825.555 |
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Applicant: City of Enumclaw

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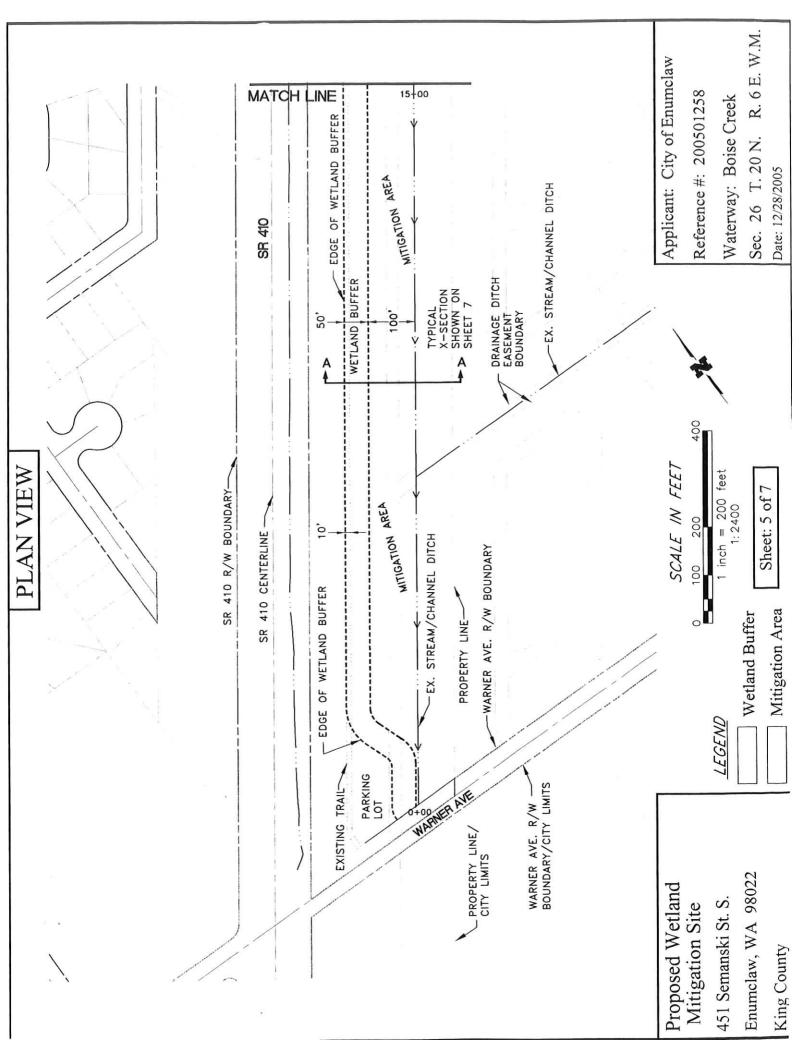
451 Semanski St. S.

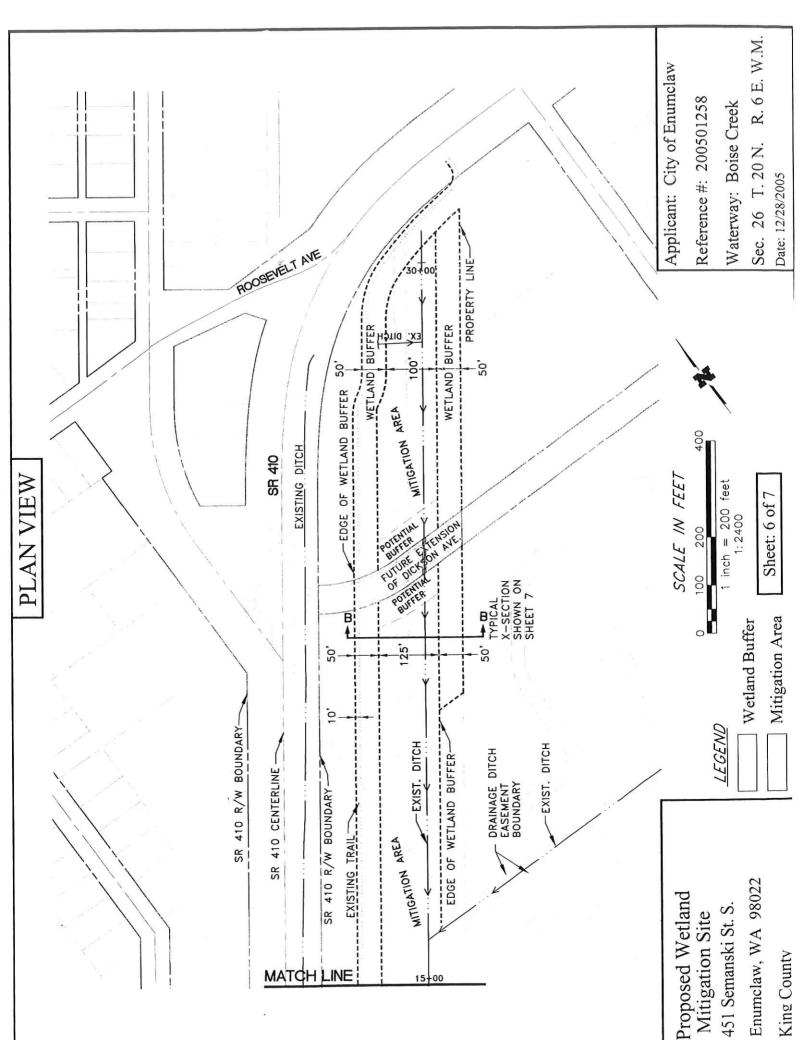
Waterway: Boise Creek

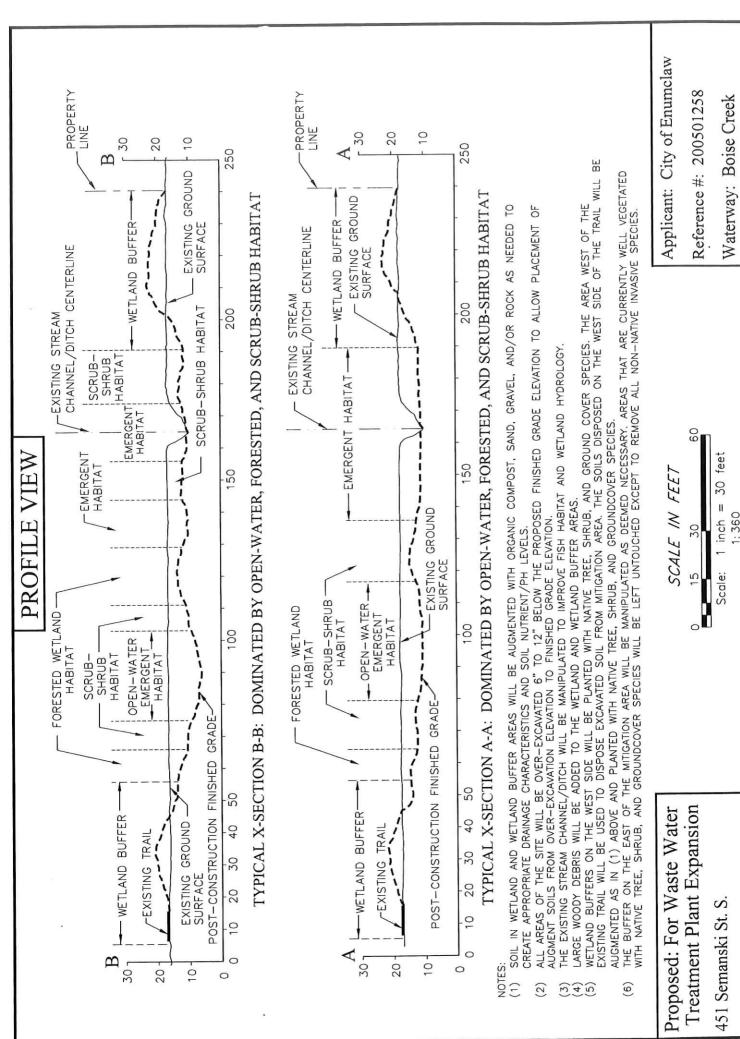
Sec. 26 T. 20 N. R. 6 E. W.M.

Date: 12/28/2005

Sheet: 4 of 7







R. 6 E. W.M.

Sec. 26 T. 20 N.

Date: 12/28/2005

Sheet: 7 of 7

Enumclaw, WA 98022

King County



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 * Olympia, Washington 98504-7600 (360) 407-6000 * TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: March 06, 2006

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501258 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600